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L A W Y E R S

December 29, 2007

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STIPULATION RE WITHDRAWAL
OF OBJECTION FOR LACK OF
DOCUMENTATION TO PROOFS
OF CLAIM FILED BY BARRY J.
GOLDSTEIN, PATRICIA
GOLDSTEIN AND CAPITAL
MORTGAGE INVESTORS, INC.**

The USACM Liquidating Trust (the "USACM Trust") and Barry J. Goldstein, Patricia Goldstein and Capital Mortgage Investors, Inc. ("Claimants"), by and through undersigned counsel, stipulate:

1. Claimants filed Proofs of Claim ("Claims") on November 10, 2006, Claim No. 10725-01167 without stating an amount, Claim No. 10725-01165 in the amount of

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1 \$14,699.00, Claim No. 10725-01163 without stating an amount and Claim No. 10725-
2 01168 in the amount of \$12,951.80..

3 2. On November 19, 2007, the USACM Trust filed it's Fifth Omnibus
4 Objection to Claims for Lack of Documentation ("Fifth Objection") [DE 5365], which
5 objected to claims, including Claims No. 10725-01163 and 10725-01165 and it Sixth
6 Omnibus Objection to Claims for Lack of Documentation ("Sixth Objection") [DE 5367],
7 which objected to claims, including Claims No. 10725-01167 and 10725-01168, on the
8 basis that the claimants had not supplied sufficient supporting documentation for their
9 claims with their proofs of claim.

10 3. On December 12, 2007, Claimants filed a response to the Objection and
11 provided documentation supporting Claim No. 10725-01163, Claim No. 10725-01165,
12 Claim No. 10725-01167 and Claim No. 10725-01168.

13 4. The parties agree that the USACM Trust will withdraw its objection to
14 Claim No. 10725-01163, Claim No. 10725-01165, Claim No. 10725-01167 and Claim No.
15 10725-01168.

16 DATED: December 19, 2007

17 LEWIS AND ROCA LLP

18 By: /s/ RC (#6593)

19 Susan M. Freeman, AZ 4199 (*pro hac vice*)


20 Rob Charles, NV 6593

21 Counsel for USACM Liquidating Trust

22 -and-

23 DATED: December 20, 2007.

24 PHILLIPS, CANTOR & BERLOWITZ,
25 P.A.

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